

ORDER RECEIVED FOR FILING
Date 7/28/93
By [Signature]

IN RE: PETITION FOR RESIDENTIAL ZONING VARIANCE
SBC Summit Ave. and Kriel Street
1937 Summit Avenue
2nd Election District
3rd Councilmanic District
Alva E. Triplett, Jr., et ux
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 94-1-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as an administrative variance filed by Alva E. Triplett, Jr., and Ruth L. Triplett for that property known as 1937 Summit Avenue in the Broadacres subdivision of Baltimore County. The Petitioners herein seek a variance from Section 1802.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a rear yard setback of 8 ft. 10 inches, in lieu of the required 30 ft., for an addition, as more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition.

The Petitioners having filed a Petition for Residential Variance and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of

Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 28th day of July, 1993 that the Petition for a Zoning Variance from Section 1802.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a rear yard setback of 8 ft. 10 inches, in lieu of the required 30 ft., for an addition, be and is hereby GRANTED, subject, however, to the following restriction which are conditions precedent to the relief granted herein:

1. The Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

LES:mmm

Lawrence E. Schmidt
LAWRENCE E. SCHMIDT
ZONING COMMISSIONER
FOR BALTIMORE COUNTY

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ORDER RECEIVED FOR FILING
Date 7/28/93
By [Signature]

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

Suite 113 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

July 28, 1993

Mr. and Mrs. Alva E. Triplett, Jr.
1937 Summit Avenue
Woodlawn, Maryland 21207

RE: Petition for Administrative Variance
Case No. 94-1-A
Property: 1937 Summit Avenue

Dear Mr. and Mrs. Triplett:

Enclosed please find the decision rendered in the above captioned case. The Petition for Administrative Variance has been granted, in accordance with the attached Order.

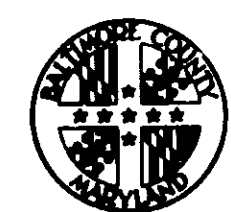
In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,

Lawrence E. Schmidt
Lawrence E. Schmidt
Zoning Commissioner

LES:mmm
encl.

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Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 1937 Summit Ave. which is presently zoned DR-5.5

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1802.3.C.1 TO PERMIT A REAR SETBACK OF 8 FT 10 INCHES IN LIEU OF THE REQUIRED 30 FT (FOR AN ADDITION TO AN EXISTING DWELLING) of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty) After 30 years of home ownership, it has become necessary to add to the first floor living space. Age and ailing health create the need for additional living area on the first floor.

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

With so solemnly declare and affirm, under the penalties of perjury, that I am the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s)
Triplett Alva E. Jr. & Ruth L.
Signature: [Signatures]
Address: 1937 Summit Ave. 410-2978
Woodlawn, Md. 21207
City: Woodlawn, Md. 21207
State: Md. 21207
Zip: 410-655-7958
Name: Ken Schaefer
Address: 4113 Pauls Run Rd. Randallstown
Md. 21133 410-655-7958

A Public Hearing having been requested and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this 28th day of July, 1993, that the subject matter of this petition be set for a public hearing, to be held, at or near the Office of Zoning Administration & Development Management, in two newspapers of general circulation throughout Baltimore County, and that the property be posted.

REVIEWED BY: [Signature] DATE: 7/1/93
REMARKS: [Signature] 7/18/93
ITEM #: 1

Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) were competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 1937 Summit Ave. Baltimore, Md. 21133

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (Include narrative or practical difficulty)

After 30 years of home ownership, it has become necessary to add to the first floor living space. Age and ailing health create the need for additional living area on the first floor.

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

Alva E. Triplett Jr. & Ruth L. Triplett
Alva E. Triplett Jr. & Ruth L. Triplett
Notary Public

STATE OF MARYLAND, COUNTY OF BALTIMORE, to-wit:

I HEREBY CERTIFY, this 11th day of June, 1993, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Alva E. Triplett Jr. & Ruth L. Triplett

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her knowledge and belief.

AS WITNESS my hand and Notarial Seal.

6-11-93
My Commission Expires: 3-1-96

EXAMPLE 3 - Zoning Description

Three copies are required. Copies of deeds cannot be used in place of this description. Use this form in format provided whenever possible; otherwise, type or print on 8 1/2" x 11" sheet.

ZONING DESCRIPTION FOR 1937 Summit Ave. 21207
Election District 2 Councilmanic District 3

Beginning at a point on the South East side of Summit Ave. (north, south, east or west) which is 40 feet (number of feet of right-of-way width)

wide at a distance of 20 feet east of the centerline of the nearest improved intersecting street Kriel St. (number of feet) (north, south, east or west) (name of street)

which is 40 feet wide. *Being Lot # 420. (number of feet of right-of-way width)

Block _____, Section # _____ in the subdivision of Broadacres as recorded in Baltimore County Plat

Book # GLB 204, Folio # 322, containing

(square feet and acres)

*If your property is not recorded by Plat Book and Folio Number, then DO NOT attempt to use the Lot, Block and Subdivision description as shown, instead state: "As recorded in Deed Liber _____, Folio _____" and include the measurements and directions (metes and bounds only) here and on the plat in the correct location.

Example of metes and bounds: N. 87° 12' 13" E. 321.1 ft., S. 18° 27' 03" E. 87.2 ft., S. 62° 19' 40" W. 318 ft., and N. 06° 15' 22" W. 80 ft. to the place of beginning.

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CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY

Towson, Maryland

District 2nd Date of Posting 7/1/93

Posted for Variance

Petitioner: Alva E. & Ruth L. Triplett

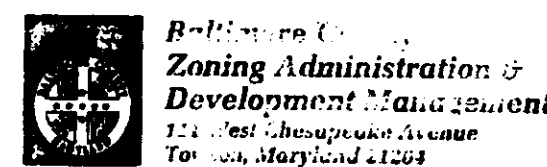
Location of property: 1937 Summit Ave, SE corner Summit & Kriel St.

Location of Sign: Posting on July 1st on the 4th of Kriel St.

Remarks:

Posted by [Signature] Date of return: 7/6/93

Number of Signs: 1



receipt

Date 7/1/93

Account: R-01-4190
Number 1
By JL

ADMIN VAR FILING CODE 010 \$ 50.00
(1) SIGN POSTING CODE 080 35.00
\$ 85.00

OWNER TRIPLETT
ADDRESS/LOCATION
1937 SUMMIT AVE.

BOARD OF ZONING ADJUDICATORS
BALTIMORE COUNTY

Cashier Validation

111 West Chesapeake Avenue
Towson, MD 21204

July 19, 1993

(410) 887-3353

Mr. and Mrs. Alva E. Triplett, Jr.
1937 Summit Avenue
Woodlawn, MD 21207

RE: Case No. 94-1-A, Item No. 1
Petitioner: Alva E. Triplett, Jr., et ux
Petition for Administrative Variance

Dear Mr. and Mrs. Triplett:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e., Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on July 1, 1993, and a hearing was scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1) The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by Zoning personnel.

Ms. Helene Kehring
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Dear Ms. Kehring:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

for John Contestabile, Chief
Engineering Access Permits
Division

BS/

My telephone number is _____

Teletypewriter for Impaired Hearing or Speech
383-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-492-5062 Toll Free
707 North Calvert St., Baltimore, Maryland 21203-0717

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE 94-1-A

TO: Arnold Jablon, Director
Zoning Administration and
Development Management

DATE: July 16, 1993

FROM: Pat Keller, Deputy Director
Office of Planning and Zoning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning and Zoning has no comments on the following petition(s):
Item Nos. 1, 3, 7, 470, 473, 474, 475 and 476.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

Prepared by: Jeffrey Long

Division Chief: Carol Kemo

PK/JL:lw

001.ZAC/ZAC1

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

RECEIVED
JUL 12 1993
ZADM

TO: Zoning Advisory Committee DATE: July 9, 1993

FROM: Jerry L. Pfeifer, Captain
Fire Department

SUBJECT: July 19, 1993 Meeting

- #473 - No comments
- #474 - No comments
- #475 - No comments
- #476 - No comments
- #477 - Building shall be built in compliance with the 1991 Life Safety Code.
- #1 - No comments
- #2 - No comments
- #3 - No comments
- #4 - No comments
- #5 - No comments
- #6 - A fire hydrant is required at the entrance to the site.
- Building shall be built in compliance with the 1991 Life Safety Code.
- #7 - No comments

JLP/dal

cc: File 94-1-A

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

JULY 9, 1993

NOTICE OF CASE NUMBER ASSIGNMENT

TO: Alva and Ruth Triplett
1937 Summit Avenue
Woodlawn, Maryland 2120

Re: CASE NUMBER: 94-1-A (Item 1)
1937 Summit Avenue
SEC Summit Avenue and Kriel Street
2nd Election District - 3rd Councilmanic

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Contact made with this office regarding the status of this case, should reference the case number and be directed to 867-3391. This notice also serves as a refresher regarding the administrative process.

1) Your property will be posted on or before July 11, 1993. The closing date (July 26, 1993) is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. They may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.

2) In cases requiring public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), the property will be reposted and notice of the hearing will appear in a Baltimore County newspaper. Charges related to the reposting and newspaper advertising are payable by the petitioner(s).

3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$50.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

Arnold Jablon
Director

Printed on Recycled Paper

Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

PROPERTY ADDRESS: 1937 SUMMIT AVE. 2/10/71 See pages 2 & 3 of the CHECKLIST for additional required information

Registration name: BROADACRES

Plot books: _____ Index: Map 420 Section: _____

OWNER: Triplett Alvin E. & Ruth L.

40' SUMMIT

175 LOT 174 LOT 173 LOT 172

WINDSOR MILL RD.

SWITCH PROPERTY

PROCTOR AVE

KRIEL ST

WALNUT ST

Validity Map scale 1"=100'

LOCATION INFORMATION

Election District: 2

Commission District: 3 Precinct

1"=200' scale map: DS:5

Zoning: DS:5

Lot area: 2.4 square foot

SEWER: ☐ ☐ ☐ ☐

WATER: ☐ ☐ ☐ ☐

Chesapeake Bay Critical Area: ☐

Prior Zoning Hearings: _____

Zoning Office USE ONLY!

Received by: ITEM #: CASE#:

North

date: 4/10/73

prepared by: MRS.

Scale of Drawing: 1"=50'

DR:5

(12) copies

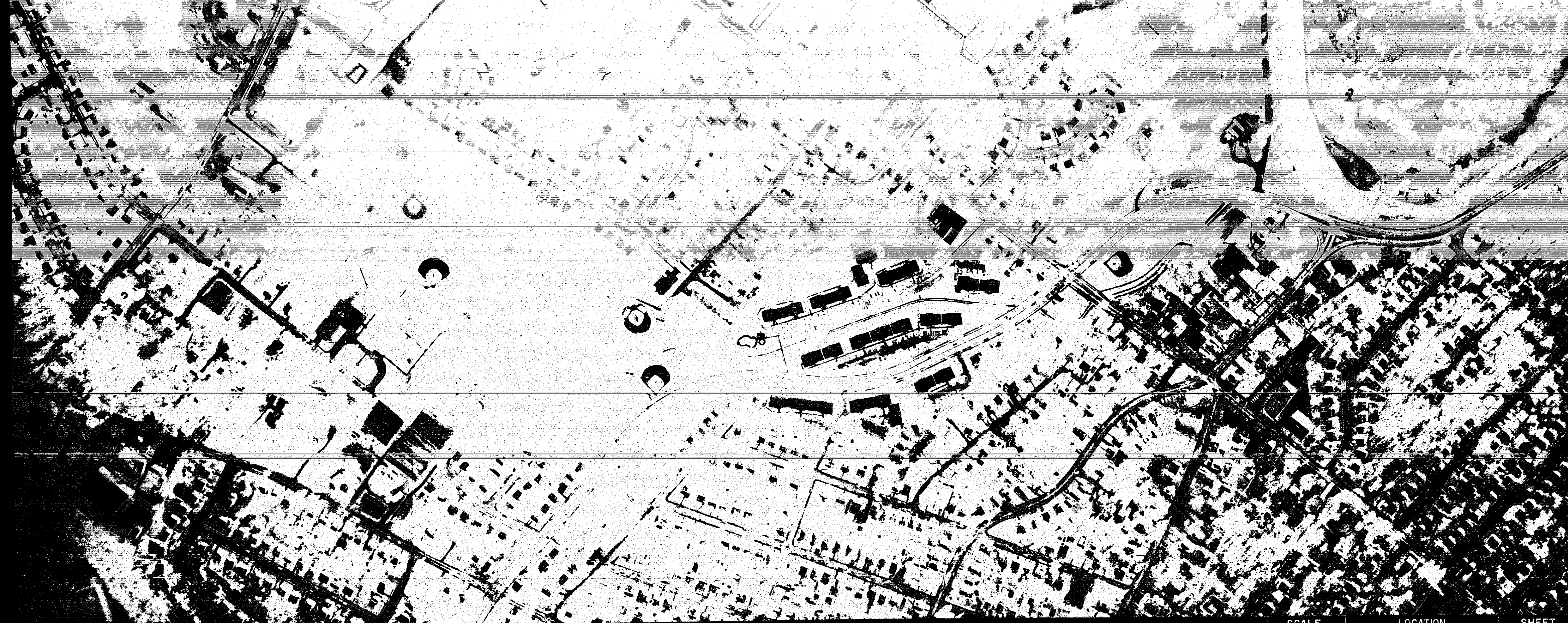
04-1-A



Baltimore County Office of Zoning Administration
and Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

Item # 1

941-A



NW 3F
94-1-A BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

SCALE	LOCATION	SHEET
1" = 200' ±	WOODLAWN	N.W. 3-F
DATE OF PHOTOGRAPHY JANUARY 1986		

PREPARED BY AIR PHOTOGRAPHICS, INC.
MARTINSBURG, W.V. 25401

